

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3509 of 2018**

1. Roshan Gyanwani S/o Mahesh Gyanwani Aged About 37 Years By Caste Sindhi, R/o Village Kanhargaon, Ward No. 15, Main Road, Bhanupratappur, District- Uttar Baster, Kanker, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Department, Mantralaya, Raipur, Chhattisgarh
2. The Collector, District Uttar Baster Kanker, Chhattisgarh
3. Sub Divisional Officer, (R), Bhanupratappur, District Uttar Bhastar, Kanker, Chhattisgarh
4. Tahsildar, Bhanupratappur, District- Uttar Bastar, Kanker, Chhattisgarh

---- Respondent

For Petitioner

Shri Parag Kotecha, Advocate

For Respondent/State

Shri Sanjay Agrawal, Govt. Advocate

Order On Board**By****Prashant Kumar Mishra, J.****21/01/2019**

1. By this petition the petitioner is seeking issuance of direction to the respondents to consider his prayer for grant of lease and further not to disturb his possession.
2. This Court is afraid, no such writ can be issued for regularizing the possession of an encroacher. If the State

Government has enacted any law or framed any Rules or Regulations for conferral of lease hold rights to the persons like the petitioner then the petitioner would be entitled to move such application under the relevant Act, Rules or Regulations. For this also this Court's direction is not needed as any person, who is falling within the scope of the State Government's beneficial scheme, is competent to move such application without intervention of the Court.

3. Accordingly, the writ petition is disposed of with the aforesaid observations.

Sd/-

Judge

Prashant Kumar Mishra

Gowri